

- B. Domestic regulations issued under MTSA similarly requires an assessment (VSA), a plan (VSP) and review every five years. However, although 33 CFR 104, Vessel Security, does require verification of the VSP, it does not require a separate certificate. Verification is incorporated into the inspection for certification process for vessel inspected in accordance with 46 USC § 2103, which will include a drill. Follow-up verifications will be conducted at the periodic exam and include a drill. Any deficiencies noted during an intervening inspection must be addressed immediately. **Uninspected vessels must undergo verification, initially, at least once every five years, and based on risk at other times (i.e., high risk barge cargo in high consequence locations).** Vessels to which both 33 CFR 104 and the ISPS Code applies should comply with 33 CFR 104 but submit an application for ISPS Code verification in accordance with 33 CFR 104.297.

#### **4. Verification Personnel**

- A. The verification of VSP and the ISPS Code requirements is a part of the inspection for certification on inspected vessels. An inspector conducting verification should possess the qualification of the type of vessel that is being verified (e.g., the verification of the VSP on a large passenger vessel should be conducted by an individual qualified to inspect Subchapter H vessels). The purpose of this is to ensure that the individual conducting the verification has experience on the particular class of vessel. Experience and an understanding of the vessels operations are essential in detecting potential vulnerabilities not addressed in the VSP.
- B. Aside from the qualifications above, the person conducting the verification should possess an understanding of 33 CFR 104 and the ISPS Code as appropriate. Ideally, the individual would have the same level of knowledge as that required of the Vessel Security Officer (VSO). Specific training requirements for an individual conducting a security verification is contained in separate guidance.

#### **5. Deficiencies**

- A. Deficiencies found during the verification process must be addressed immediately. A deficiency is a noncompliance with an approved VSP. A deficiency, like the non-compliance described in 33 CFR 104.125, is a condition in which the vessel is temporarily unable to comply with its approved VSP. An example of a deficiency would be on a vessel's VSP that specifies an intrusion detection alarm will protect each access point, but the device is inoperable. A deficiency is separate from a condition in which the vessel is in compliance with its VSP, but an issue exists that compromises the security of the vessel and requires an amendment to the VSP. An example of this situation might be in which the VSP specifies that each roving patrol will protect restricted areas. Yet, this measure is inadequate due to the ease of accessibility by unauthorized persons. In such a case the vessel is technically in compliance with its VSP, but the measure does not overcome the vulnerability.
- B. The severity of the deficiency must dictate the corrective action. On a vessel that sails on domestic voyages only, deficiencies may be considered in the same light as deficiencies with safety requirements. Some items that pose a minor risk may be addressed with a CG-835, while the severity of some deficiencies may be considered "no-sail" items. A minor item would be in which the safety and security of the vessel are not placed at direct risk. An example of a minor deficiency might be the failure of an individual surveillance camera, which can be replaced by a continuous sentry. When deciding the course of action to address a deficiency, the inspector should consider if a temporary measure might be employed to mitigate the risk (i.e., can a temporary substitute for the measure provide equivalent security). The complete failure of an entire security system that cannot be